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ATTORNEY DOCKET NO. 10030568-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Richard L. Baer

Serial No.: 10/828,443

Examiner: Stephen R. Koziol

Filing Date: April 20, 2004

Group Art Unit: 2624

Title: BIOMETRIC DATA CARD AND AUTHENTICATION METHOD

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, September 18, 2007, rejecting the following claims 1-14, 17-28, 30, 32 and 33.

The fee for this Notice of Appeal (37 CFR 1.17(b)) is **\$510.00**.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

- | | | |
|--------------------------|--------------|-----------|
| <input type="checkbox"/> | one month | \$ 120.00 |
| <input type="checkbox"/> | two months | \$ 460.00 |
| <input type="checkbox"/> | three months | \$1050.00 |
| <input type="checkbox"/> | four months | \$1640.00 |

☐ The extension fee has already been filled in this application.

☒ (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **50-1078** the sum of **\$510.00**. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-1078** pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: December 18, 2007 OR

☐ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile:

Typed Name: Gregory W. Osterloth

Signature: _____

Respectfully submitted,

Richard L. Baer

By _____

Gregory W. Osterloth
Attorney/Agent for Applicant(s)

Reg. No. 36,232

Date: December 18, 2007

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